

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FLORENCE M. DAVIS,

Plaintiff,

v.

OPERATING ENGINEERS LOCAL UNION
NO. 3 and JOHN BONILLA,

Defendants.

No. C-05-0221 MMC

**ORDER DENYING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**


(Docket No. 35)

Before the Court is the motion for summary judgment filed March 7, 2006 by defendants Operating Engineers Local Union No. 3 ("OE3") and John Bonilla ("Bonilla"). Plaintiff Florence M. Davis ("Davis") has filed opposition to the motion; defendants have filed a reply. Having considered the papers filed in support of and in opposition to the motion and the arguments of counsel, and for the reasons set forth at the April 7, 2006 hearing, the motion is hereby DENIED.

This order terminates Docket No. 35.

IT IS SO ORDERED.

Dated: April 10, 2006


MAXINE M. CHESNEY
United States District Judge